

In addition to its disciplinary function, the Commission has the responsibility to determine whether or not a sitting judge whose term is expiring, and who seeks a new term, is to be reappointed.

Not less than six (6) months prior to the expiration of his or her term of office, a judge eligible to seek reappointment must file a written declaration of candidacy for reappointment with the Commission. In addition the judge must submit a written statement, including illustrative materials, reviewing the significant aspects of his or her judicial activities, and must submit on a form provided by the Commission a statement from the judge's doctor attesting to the judge's health and fitness to continue judicial service.

Once a judge has submitted a declaration of candidacy the Commission begins the evaluation process which includes; soliciting comments from the legal community and the general public concerning the judge's qualifications, interviewing attorneys and Court personnel who have appeared before and worked with the judge, interviewing the judge and the chief judge of the judge's court, and reviewing all of the Commission's files concerning the judge.

When the Commission has completed its review of the judge's performance and conduct during the present term of office it must then place a judge in one or three evaluation categories. If the Commission determines the judge to be "well qualified" the judge is automatically reappointed to a new 15-year term, if the Commission determines the judge to be "qualified" for reappointment, the President of the United States may, if he chooses, re-nominate the judge subject to Senate confirmation, if the Commission determines the judge to be "unqualified", the judge is ineligible for reappointment or a future appointment as a judge of a District of Columbia court.

The Home Rule Act requires the Commission to file with the President of the United States not less than sixty (60) days prior to expiration of the judge's term, a written evaluation of the judge's performance and his fitness for reappointment to another term. The evaluation report is made public immediately after it has been furnished to the President and the judge.